

**ORIGINAL****SUPERSEDEAS BOND****IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:

DATE FILED: 11/18/13

Eastman Kodak Company

Plaintiff

vs.

Ricoh Company, Ltd.,

Defendant

12 Civ. 3109 (DLC)

Jury Trial

Bond No.: **09137864**

We, RICOH COMPANY, LTD., as principal, and ZURICH AMERICAN INSURANCE COMPANY and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, as surety, are held and firmly bound to EASTMAN KODAK COMPANY, the Plaintiff in the above-entitled action, in the maximum penal sum of EIGHTY FOUR MILLION ONE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED and 00/100 Dollars (\$84,115,800.00), for the payment of which we firmly bind ourselves and our heirs, executors, administrators, or assigns. We, RICOH COMPANY, LTD. and ZURICH AMERICAN INSURANCE COMPANY and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, jointly and severally submit ourselves to the jurisdiction of the United States District Court for the Southern District of New York and irrevocably appoint the clerk of the court as agent for us, upon whom any papers affecting our liability, jointly and severally, on this obligation may be served. We, RICOH COMPANY, LTD. and ZURICH AMERICAN INSURANCE COMPANY and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, jointly and severally, irrevocably waive any right to a jury trial on matters relating to our liability on this obligation and agree that our liability may be enforced in the court on motion and such notice of motion as the court may prescribe may be served upon the clerk as our agent.

Whereas, on November 5, 2013 a Final Judgment was entered in the above-entitled action pending in the above court in favor of EASTMAN KODAK COMPANY, as plaintiff, and against RICOH COMPANY, LTD., as defendant, from which RICOH COMPANY, LTD. intends to appeal.

Now, therefore, RICOH COMPANY, LTD., as principal, and ZURICH AMERICAN INSURANCE COMPANY and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, as surety, undertakes and promises to pay to EASTMAN KODAK COMPANY the Final Judgment in full, together with costs and interest on such judgment, if:

- (a) RICOH COMPANY, LTD.'s appeal is dismissed;
- (b) The Final Judgment is affirmed on appeal; or
- (c) RICOH COMPANY, LTD. fails to pay, within ten (10) business days, all sums awarded against it, together with costs and interest, if the amount of the Final Judgment is modified on appeal.

If RICOH COMPANY, LTD. fulfills the obligations set forth above, then this Bond shall no longer be in force. Otherwise this Bond will remain in full force and effect; provided however, the maximum liability of the Surety shall not exceed the sum of EIGHTY FOUR MILLION ONE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED and 00/100 Dollars (\$84,115,800.00).

Sealed with our seals on November 15, 2013.

*Approved 11/18/13*  
**RUBY J. KRAJICK**  
 CLERK OF COURT

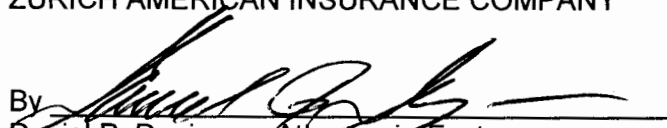
BY 

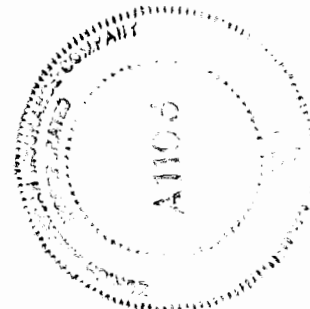
Deputy Clerk

SURETY:

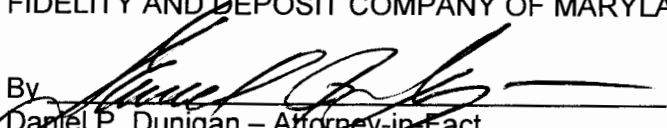
ZURICH AMERICAN INSURANCE COMPANY

Bond Number: **09137864**

By   
Daniel P. Dunigan – Attorney-in-Fact



FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By   
Daniel P. Dunigan – Attorney-in-Fact

Bond Number: **09137864**  
(same as ZURICH AMERICAN INSURANCE COMPANY)



**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **THOMAS O. MCCLELLAN, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **William F. SIMKISS, Daniel P. DUNIGAN, Brian C. BLOCK, Joseph W. KOLOK, JR., Richard J. DECKER and James L. HAHN, all of Paoli, Pennsylvania, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 10th day of May, A.D. 2012.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: \_\_\_\_\_

*Eric D. Barnes*

*Assistant Secretary  
Eric D. Barnes*

*Thomas O. McClellan*

*Vice President  
Thomas O. McClellan*

State of Maryland  
City of Baltimore

On this 10th day of May, A.D. 2012, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **THOMAS O. MCCLELLAN, Vice President, and ERIC D. BARNES, Assistant Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

*Constance A. Dunn*

*Constance A. Dunn, Notary Public  
My Commission Expires: July 14, 2015*



**EXTRACT FROM BY-LAWS OF THE COMPANIES**

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

**CERTIFICATE**

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

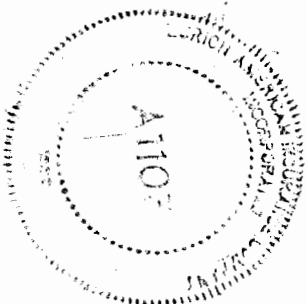
This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 15<sup>th</sup> day of NOVEMBER, 20 13.



*Geoffrey Delisio*

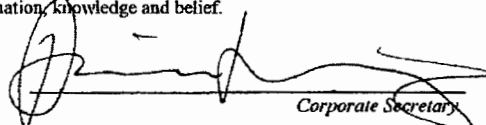
Geoffrey Delisio, Vice President



**ZURICH AMERICAN INSURANCE COMPANY**  
**COMPARATIVE BALANCE SHEET**  
**ONE LIBERTY PLAZA, 165 BROADWAY, 32nd FLOOR, NEW YORK, NY 10006**  
**As of December 31, 2012 and December 31, 2011**

	12/31/2012	12/31/2011
<b><u>Assets</u></b>		
Bonds	\$ 18,907,466,866	\$ 18,985,096,131
Preferred Stock	-	259,036
Common Stock	2,123,025,432	2,068,881,919
Other Invested Assets	2,035,077,824	2,065,634,039
Short-term Investments	126,053,209	107,298,374
Receivable for securities	134,410,839	18,523,294
Cash and cash equivalents	728,298,115	(128,716,627)
Securities lending reinvested collateral assets	225,335,750	120,821,061
Employee Trust for Deferred Compensation Plan	130,493,778	124,809,033
Total Cash and Invested Assets	<u>\$ 24,410,161,814</u>	<u>\$ 23,362,606,260</u>
 Premiums Receivable	 \$ 3,649,247,239	 \$ 3,611,868,304
Funds Held with Reinsurers	3,681,443	28,073,922
Reinsurance Recoverable	215,451,507	233,357,918
Accrued Investment Income	121,729,727	149,372,442
Federal Income Tax Recoverable	930,267,731	788,664,462
Due from Affiliates	187,274,289	95,583,016
Other Assets	493,265,075	459,639,011
Total Assets	<u>\$ 30,011,078,824</u>	<u>\$ 28,729,165,335</u>
 <b><u>Liabilities and Policyholders' Surplus</u></b>		
<b><u>Liabilities:</u></b>		
Loss and LAE Reserves	\$ 14,244,436,264	\$ 14,401,632,170
Unearned Premium Reserve	4,159,670,241	4,066,273,586
Funds Held with Reinsurers	212,412,675	218,214,563
Loss In Course of Payment	408,170,112	353,274,509
Commission Reserve	64,038,359	63,749,920
Federal Income Tax Payable	16,190,044	47,352,138
Remittances and Items Unallocated	196,410,982	69,677,903
Payable to parent, subs and affiliates	57,540,814	92,111,683
Provision for Reinsurance	66,649,220	60,498,188
Ceded Reinsurance Premiums Payable	551,510,878	278,235,370
Securities Lending Collateral Liability	225,335,750	120,821,061
Other Liabilities	2,166,453,164	1,938,544,837
Total Liabilities	<u>\$ 22,368,818,502</u>	<u>\$ 21,710,385,928</u>
 <b><u>Policyholders' Surplus:</u></b>		
Common Capital Stock	\$ 5,000,000	\$ 5,000,000
Paid-In and Contributed Surplus	4,394,131,321	4,394,131,320
Surplus Notes	430,000,000	883,000,000
Special Surplus Funds	43,259,000	396,438,437
Cumulative Unrealized Gain	331,857,594	209,454,958
Unassigned Surplus	2,438,012,408	1,130,754,692
Total Policyholders' Surplus	<u>\$ 7,642,260,323</u>	<u>\$ 7,018,779,407</u>
 Total Liabilities and Policyholders' Surplus	<u>\$ 30,011,078,824</u>	<u>\$ 28,729,165,335</u>

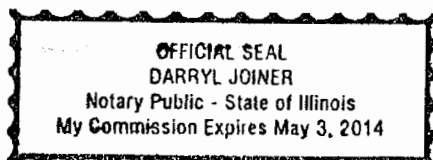
I, Dennis F. Kerrigan, Corporate Secretary of ZURICH AMERICAN INSURANCE COMPANY do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company, on the 31st day of December, 2012, according to the best of my information, knowledge and belief.

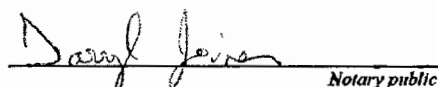
  
Corporate Secretary

State of Illinois  
County of Cook

} SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15th day of March, 2013.



  
Notary public

## ACKNOWLEDGEMENT OF SURETY

State of Pennsylvania

County of Chester

On this 15 TH day of NOVEMBER, 2013, before me, ARLENE OSTROFF

a Notary Public in and for said Chester County, State aforesaid, residing

therein, duly commissioned and sworn, personally appeared, DANIEL P.

DUNIGAN known to me to be the person whose name is subscribed to the within

instrument as the Attorney-in-Fact of the ZURICH AMERICAN INSURANCE

COMPANY, and acknowledged to me that he subscribed

the name of the ZURICH AMERICAN INSURANCE COMPANY

thereto, as Surety, and his own as Attorney-in-Fact.

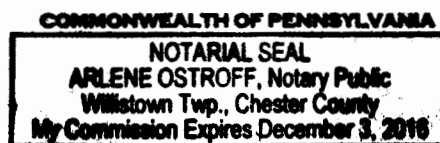
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my

official seal, and year in this certificate first above written.

BY:   
Notary Public



My Commission Expires: 12/3/16



**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **THOMAS O. MCCLELLAN, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **William F. SIMKISS, Daniel P. DUNIGAN, Brian C. BLOCK, Joseph W. KOLOK, JR., Richard J. DECKER and James L. HAHN, all of Paoli, Pennsylvania, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 10th day of May, A.D. 2012.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By:

*Eric D. Barnes*

*Assistant Secretary  
Eric D. Barnes*

*Thomas O. McClellan*

*Vice President  
Thomas O. McClellan*

State of Maryland  
City of Baltimore

On this 10th day of May, A.D. 2012, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **THOMAS O. MCCLELLAN, Vice President, and ERIC D. BARNES, Assistant Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

*Constance A. Dunn*

*Constance A. Dunn, Notary Public  
My Commission Expires: July 14, 2015*



**EXTRACT FROM BY-LAWS OF THE COMPANIES**

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

**CERTIFICATE**

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 15<sup>th</sup> day of NOVEMBER, 2013.



*Geoffrey Delisio*

Geoffrey Delisio, Vice President



**FIDELITY AND DEPOSIT COMPANY**

OF MARYLAND

600 Red Brook Blvd., Suite 600, Owings Mills, MD 21117

**Statement of Financial Condition**

As Of December 31, 2012

**ASSETS**

Bonds .....	\$ 157,177,826
Stocks .....	23,000,311
Cash and Short Term Investments.....	119,155
Reinsurance Recoverable .....	17,923,564
Other Accounts Receivable .....	35,473,256
<b>TOTAL ADMITTED ASSETS .....</b>	<b>\$ 233,694,113</b>

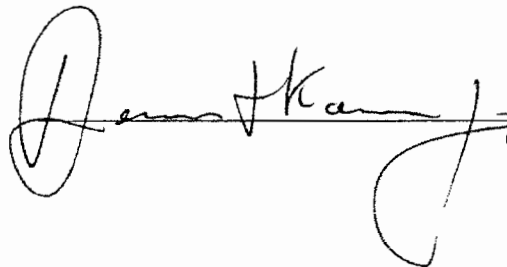
**LIABILITIES, SURPLUS AND OTHER FUNDS**

Reserve for Taxes and Expenses .....	\$ 74,782
Ceded Reinsurance Premiums Payable .....	48,323,524
Securities Lending Collateral Liability .....	1,716,240
<b>TOTAL LIABILITIES .....</b>	<b>\$ 50,114,546</b>
Capital Stock, Paid Up .....	\$ 5,000,000
Surplus .....	178,579,567
<b>Surplus as regards Policyholders.....</b>	<b>183,579,567</b>
<b>TOTAL .....</b>	<b>\$ 233,694,113</b>

Securities carried at \$59,468,002 in the above statement are deposited as required by law.

Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of December 31, 2012 market quotations for all bonds and stocks owned, the Company's total admitted assets would be \$243,518,971 and surplus as regards policyholders \$193,404,425.

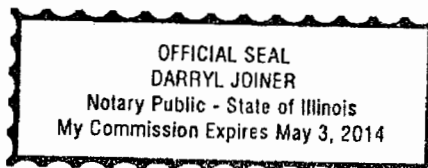
I, DENNIS F. KERRIGAN, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2012.

  
Corporate Secretary

State of Illinois }  
City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15th day of March, 2013.

  
Notary Public



## ACKNOWLEDGEMENT OF SURETY

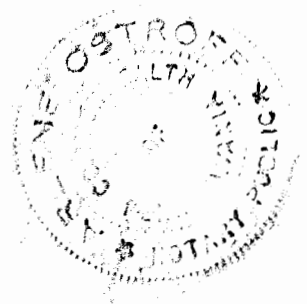
State of Pennsylvania

County of Chester

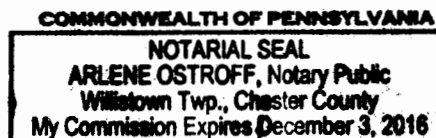
On this 15 TH day of NOVEMBER, 2013, before me, ARLENE OSTROFF  
a Notary Public in and for said Chester County, State aforesaid, residing  
therein, duly commissioned and sworn, personally appeared, DANIEL P.  
DUNIGAN known to me to be the person whose name is subscribed to the within  
instrument as the Attorney-in-Fact of the FIDELITY AND DEPOSIT COMPANY  
OF MARYLAND, and acknowledged to me that he subscribed  
the name of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
thereto, as Surety, and his own as Attorney-in-Fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my  
official seal, and year in this certificate first above written.

BY:   
Notary Public



My Commission Expires: 12/3/16



**STATE OF NEW YORK  
DEPARTMENT OF FINANCIAL SERVICES**

**CERTIFICATE OF SOLVENCY UNDER SECTION 1111 OF THE NEW YORK  
INSURANCE LAW**

It is hereby certified that

Zurich American Insurance Company  
of New York, New York

a corporation organized under the laws of the State of New York, and duly authorized to transact the business of insurance in this State, is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guaranties and other obligations required or permitted by law; and that the said corporation is possessed of a capital and surplus including gross paid-in and contributed surplus and unassigned funds (surplus) aggregating the sum of \$7,855,670,596. (Capital \$5,000,000.00) as is shown by its sworn financial statement for the quarter ended March 31, 2013, on file in this Department, prior to audit.

The said corporation cannot lawfully expose itself to loss on any one risk or hazard to an amount exceeding 10% of its surplus to policyholders, unless it shall be protected in excess of that amount in the manner provided in Section 4118 of the Insurance Law of this State.



In Witness Whereof, I have here-  
unto set my hand and affixed the  
official seal of this Department  
at the City of Albany, this 2nd  
day of August, 2013.

Benjamin M. Lawskey  
Superintendent

By

*Jacqueline Catalfamo*  
Jacqueline Catalfamo  
Special Deputy Superintendent

**STATE OF NEW YORK  
DEPARTMENT OF FINANCIAL SERVICES**

**CERTIFICATE OF SOLVENCY UNDER SECTION 1111 OF THE NEW YORK  
INSURANCE LAW**

It is hereby certified that

Fidelity and Deposit Company of Maryland  
of Owings Mills, Maryland

a corporation organized under the laws of the State of Maryland and duly authorized to transact the business of insurance in this State, is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guaranties and other obligations required or permitted by law; and that the said corporation is possessed of a capital and surplus including gross paid-in and contributed surplus and unassigned funds (surplus) aggregating the sum of \$185,072,690. (Capital \$5,000,000.) as is shown by its sworn financial statement for the quarter ended March 31, 2013, on file in this Department, prior to audit.

The said corporation cannot lawfully expose itself to loss on any one risk or hazard to an amount exceeding 10% of its surplus to policyholders, unless it shall be protected in excess of that amount in the manner provided in Section 4118 of the Insurance Law of this State.



In Witness Whereof, I have here-  
unto set my hand and affixed the  
official seal of this Department  
at the City of Albany, this 2nd  
day of August, 2013.

Benjamin M. Lawskey  
Superintendent

By *Jacqueline Catalfamo*

Jacqueline Catalfamo  
Special Deputy Superintendent